

Chief, Fiscal Division

7 May 1952

Office of General Counsel

**CONFIDENTIAL**

Post Differentials

1. Reference is made to your memorandum of 27 February 1952 and the supporting papers forwarded therewith. It is the opinion of this office that it would be legally objectionable to amend Agency Regulation (3) to provide payment of post differentials in accordance with Foreign Service Regulations.

25X1A

FOIAb5

3. Executive Order 10000, dated September 16, 1948, authorized the Secretary of State to establish differential posts, fix additional rates of compensation for such posts, and to establish Standardized Post Differential Regulations under the authority of Section 207 of the Independent Offices Appropriation Act, 1949, as amended, for all agencies except State Department, and to establish differential regulations for the State Department Foreign Service under the provisions of the Foreign Service Act of 1946. Accordingly, this Agency is without authority to pay post differentials to vouchered employees or to establish Agency regulations for such payments except in accordance with the Standardized Post Differential Regulations promulgated by the State Department in accordance with the above authorities.

4. The Foreign Service Post Differential Regulations having been adopted as the standard of payment for unvouchered employees and reflected in 6.4 of the Confidential Funds Regulations, and in the absence of any compelling reasons for a review of that policy determination, this office perceives no legal requirement for harmonizing provisions

25X1A

25X1A9a

OGC/JGC:iam  
Attachments:

**CONFIDENTIAL**

Office of General Counsel

Memo to Acting Chief, Finance & Comptroller, 21 Jan 1952  
Memo to ADD/A for Task Force, 5 April 1951

Distribution Orig - Add  
2 - OGC

COPY